

MESSAGE NO: 5118303 MESSAGE DATE: 04/28/2015

MESSAGE STATUS: Active CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐

SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 1259302, 3007302, 3010301,
MESSAGE # 3014304
(s):

CASE #(s): A-475-201

EFFECTIVE DATE: 04/28/2015 COURT CASE #: 2014-1454

PERIOD OF REVIEW: 05/01/2010 TO 04/30/2011

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 04/28/2015

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for ball bearings and parts thereof from Italy produced or exported by SKF Industrie S.p.A. et. al., for the period 05/01/2010 through 04/30/2011 (A-475-201)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 3 below.

1. On January 13, 2015, the Court of Appeals for the Federal Circuit issued a final decision in the case *The Timken Co. v. United States*, (CAFC No. 2014-1454). As a result of this decision, the injunction to which messages 3007302 and 3010301 refer enjoining liquidation of entries which are subject to the antidumping duty order on ball bearings and parts thereof from Italy for the period 05/01/2010 through 04/30/2011 produced or exported by SKF Industrie S.p.A., Somecat S.p.A., or SKF RIV-SKF Officine di Villar Perosa S.p.A., dissolved on April 13, 2015.

2. For all shipments of ball bearings and parts thereof from Italy produced or exported by SKF Industrie S.p.A., SKF RIV-SKF Officine di Villar Perosa S.p.A. (A-475-201-012), or Somecat S.p.A. (A-475-201-008), imported by or sold to (as indicated on the commercial invoice or Customs documentation) the firms listed below, and entered, or withdrawn from warehouse, for consumption during the period 05/01/2010 through 04/30/2011, assess an antidumping liability equal to the percentages listed below of the entered value.

Importer or customer: SKF USA Inc.

Importer number: 23-1043740-00

Final rate: 0.00%

Importer or customer: SKFUSA Inc.

Importer number: 23-1043740-00

Final rate: 0.00%

Importer or customer: SKF USA Inc

Importer number: 23-1043740-00

Final rate: 0.00%

Importer or customer: SKF USA, Inc.

Importer number: 23-1043740-00

Final rate: 0.00%

Importer or customer: SKF USAInc

Importer number: 23-1043740-00

Final rate: 0.00%

Importer or customer: SKFC/O CR Industries

Importer number: 23-1043740-SS

Final rate: 0.00%

Importer or customer: SKF C/O CR Industries

Importer number: 23-1043740-SS

Final rate: 0.00%

Importer or customer: SKF Sealing Solutions

Importer number: 23-1043740-SS

Final rate: 0.00%

Importer or customer: SKF Sealing Solutions Americas

Importer number: 23-1043740-SS

Final rate: 0.00%

Importer or customer: Chicago Rawhide

Importer number: 23-1043740-CR

Final rate: 0.00%

Importer or customer: C R Industries

Importer number: 23-1043740-CR

Final rate: 0.00%

Importer or customer: MRC Bearings

Importer number: 23-1043740-MC

Final rate: 0.00%

Importer or customer: SKF Motion Technologies

Importer number: 23-1043740-MT

Final rate: 0.00%

Importer or customer: SKF Specialty Products

Importer number: 23-1043740-SP

Final rate: 0.00%

The importer numbers listed above were reported to Commerce and provided for convenience to assist CBP in the identification of the importers or customers listed above. Entries by the importer name may also have been made under other importer numbers.

3. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. The antidumping duty order on ball bearings and parts thereof from Italy was revoked, effective 09/15/2011 (see message 1259302).

4. Separate liquidation instructions for entries of merchandise produced by SKF Industrie S.p.A. or Somecat S.p.A., entered, or withdrawn from warehouse, for consumption during the period 05/01/2010 through 04/30/2011, entered under case number A-475-201-012 or A-475-201-008, and not covered by paragraph 2 were issued in message 3014304 dated 01/14/2013.

5. There are no injunctions applicable to the entries covered by this instruction.

6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement

prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OI:HP.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party